

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

TIMOTHY PATRICK JOEL, #L2578

VS.

CIVIL ACTION NO. 2:05cv47-KS-MTP

LARRY D. ISHEE

ORDER

This cause came on this date to be heard upon the Proposed Findings of Fact and Recommendations of the United States Magistrate Judge entered herein on August 24, 2006, after referral of hearing by this Court, no objections having been filed as to the Proposed Findings of Fact and Recommendations, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Proposed Findings of Fact and Recommendations should be adopted as the opinion of this Court. Additionally, the Plaintiff has requested that the Complaint be dismissed by letter filed September 8, 2006.

IT IS, THEREFORE, ORDERED that the Proposed Findings of Fact and Recommendations be, and the same hereby are, adopted as finding of this Court, and the Complaint alleging constitutional violations is hereby dismissed with prejudice and any other remaining claims under state law are dismissed without prejudice. A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 13th day of September, 2006.

s/ *Keith Starrett*
UNITED STATES DISTRICT JUDGE